

AMENDED IN ASSEMBLY APRIL 22, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 271

Introduced by Assembly Member Nunez

February 5, 2003

An act to add Chapter 13 (commencing with Section 4850) to Division 4.5 of the Welfare and Institutions Code, relating to services for the developmentally disabled.

LEGISLATIVE COUNSEL'S DIGEST

AB 271, as amended, Nunez. Developmental services: *human* resources.

~~Existing law, the~~

~~The Lanterman Developmental Disabilities Services Act,~~ requires the State Department of Developmental Services to contract with regional centers for the provision of various services and supports to persons with developmental disabilities.

This bill would revise the framework for the provision of *human* services to persons with developmental disabilities, including ~~revising the financing and budgeting processes of California's developmental services system. The bill would also include~~ alternative employment options available to state employees in the developmental services field, as a result of the revised service provision framework.

~~This bill would establish the state community augmentation and resource enhancement account, or CARE account, containing specified funds attributable to costs saved by moving individuals from developmental centers to community-based care, or deflecting individuals from admission to developmental centers, to be distributed~~

~~to the regional centers for the purpose of enhancing the services and programs provided by the regional centers. The bill would require each regional center to establish an account for its CARE funds, and would specify the funding sources and intended uses for CARE accounts.~~

This bill would authorize the department to establish state-owned, state-operated, or state-staffed residential facilities or services, as specified, to meet the needs of persons with a developmental disability whose needs otherwise cannot be met.

This bill would require the department to prepare an annual report to the Legislature, with specified components, to address issues relating to the implementation of the bill.

~~This bill would require that state developmental lands and buildings, when feasible and appropriate, be leased or sold at fair market value, and would also establish the Lanterman Trust Fund in the State Treasury in order that funds generated from the sale or lease of existing state facilities for the treatment of the developmentally disabled may be redirected to provide housing and other specified services and supports to members of the developmentally disabled community, upon appropriation by the Legislature. The bill would provide that the trust shall be administered by a board of trustees, and would specify the membership of the board of trustees, including, among others, the Director of Developmental Services. The bill would also specify the sources and intended uses of the funds in the trust.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 13 (commencing with Section 4850) is
2 added to Division 4.5 of the Welfare and Institutions Code, to read:

3

4 CHAPTER 13. PRESERVATION OF *HUMAN* RESOURCES FOR
5 PERSONS WITH DEVELOPMENTAL DISABILITIES

6

7 Article 1. Legislative Intent

8

9 4850. (a)–It is the intent of the Legislature in enacting this
10 chapter to enable the state to take significant steps toward fulfilling
11 its mandated obligations under this division by safeguarding



1 ~~human resources historically intended for use by~~ *employed in the*
2 *care of persons with developmental disabilities.*

3 ~~(b) It is the further intent of the Legislature to ensure that funds~~
4 ~~saved or generated as the result of implementation of this chapter~~
5 ~~be invested in any of the following:~~

6 ~~(1) High quality community-based services for persons who~~
7 ~~are at greatest risk of being placed into state developmental centers~~
8 ~~because of the lack of adequate alternatives.~~

9 ~~(2) High quality community-based services for current~~
10 ~~residents of state developmental centers who move from a center~~
11 ~~to the community pursuant to Section 4418.3.~~

12 ~~(3) High quality community-based services for consumers~~
13 ~~currently living in the community who have unmet needs.~~

14
15 ~~Article 2.—Community Augmentation and Resource~~
16 ~~Enhancement Accounts~~
17

18 ~~4851.—(a) Notwithstanding any other provision of law, the~~
19 ~~requirements of this article shall be applicable to the financing and~~
20 ~~budgeting processes of California's developmental services~~
21 ~~system. The purpose of this article shall be to ensure the~~
22 ~~preservation of resources for persons with developmental~~
23 ~~disabilities and to enhance services and programs available to meet~~
24 ~~each person's individual program plan.~~

25 ~~(b) By April 1 of each budget year, the department shall report~~
26 ~~to the relevant policy and budget committees of the Legislature the~~
27 ~~number of individuals who are projected to move from a~~
28 ~~developmental center to a community-based setting or who are~~
29 ~~projected to be deflected from admission to a developmental~~
30 ~~center during the subsequent period. These projections shall be~~
31 ~~based on the department's community placement plan process.~~
32 ~~The report shall include an analysis of the funds, including~~
33 ~~variable and fixed costs, that would have been spent on each of~~
34 ~~these individuals if he or she had remained in a developmental~~
35 ~~center or moved into a developmental center, the amount that is~~
36 ~~being spent to implement the person's individual placement plan~~
37 ~~in the community, and the savings, if any, that will be accrued due~~
38 ~~to the individual's residence in a community placement.~~

39 ~~(c) Any savings identified by the department pursuant to~~
40 ~~subdivision (b) shall be placed, through the annual Budget Act, in~~

~~a subaccount of the department's community services program budget to be known as the community augmentation and resource enhancement account, or CARE account. Funds in a CARE account shall be carried over from one fiscal year to the next.~~

~~(d) Seventy-five percent of the funds in the CARE account that are accrued as a result of a specific regional center's successful efforts to move individuals from a developmental center to the community, or to avoid individuals' placements in a developmental center, shall be allocated to that regional center. The department, in conjunction with the regional centers, on an annual basis, shall equitably distribute the remaining 25 percent of the funds in the CARE account to all regional centers, taking into consideration the level of unmet need in each regional center catchment area, the number of consumers served by each regional center, and the geographic differential in the cost of providing services.~~

~~4852. (a) Each regional center shall establish an account for its CARE funds. The account shall be separate from the regional center's community services account, and may contain funds from several sources, including, but not limited to, the following:~~

~~(1) Funds derived from donations and bequests, and grants derived from private foundations or corporate donors, unless those funds have been donated expressly for other purposes.~~

~~(2) State or federal funds that may be allocated to CARE accounts.~~

~~(b) Nothing in this chapter shall be construed to permit the use of funds in any regional center's CARE account to replace other funds that would be allocated to the regional center through the customary budgeting process for community services.~~

~~(c) Funds in regional center CARE accounts may be used as matching funds to secure additional federal resources.~~

~~(d) Regional centers shall report to the department, in any manner as may be required by the department, regarding the amounts, sources, and uses of funds in CARE accounts.~~

~~4852.5. (a) It is the intent of the Legislature in enacting this chapter to encourage the efficient and cost effective reduction of the fixed costs involved in the operation of the developmental centers.~~

~~(b) The department shall act to reduce the high overhead costs in developmental centers by consolidating programs, provided~~

1 ~~that consolidation does not create a caseload mix that would~~
2 ~~decrease any resident's current level of care so as to compromise~~
3 ~~the resident's health or safety.~~

4 ~~(e) The department shall prepare and implement a plan, which~~
5 ~~shall be revised annually, to encourage the cost effective operation~~
6 ~~of developmental centers. The plan shall include, but need not be~~
7 ~~limited to, all of the following:~~

8 ~~(1) Procedures for limiting increased per capita costs caused~~
9 ~~when the number of residents in any developmental center~~
10 ~~decreases.~~

11 ~~(2) Methods for consolidating programs while minimizing the~~
12 ~~disruption to residents and employees of developmental centers.~~

13 ~~(3) Methods to avoid or minimize the need to repair the~~
14 ~~developmental centers that fail to meet modern health, safety, and~~
15 ~~accessibility standards, while ensuring that these methods do not~~
16 ~~put the safety of current residents and staff at risk.~~

17 ~~(4) The effect on state civil service employees that any proposal~~
18 ~~contained in the annual plan may have, in terms of transfers,~~
19 ~~demotions, layoffs, or other terms and conditions of employment.~~
20 ~~The department shall report on the potential for voluntary transfer~~
21 ~~of employees, the number eligible for retirement, and other ways~~
22 ~~to mitigate any adverse effects on state employees caused by~~
23 ~~implementation of the plan referred to in this section.~~

24 ~~(d) (1)–~~

25
26 *Article 2. Alternative Employment Options*
27

28 4852. (a) In the event of program consolidations or the
29 closure of programs or centers, the department shall make every
30 reasonable effort, subject to collective bargaining where
31 applicable, to continue all developmental center staff in their civil
32 service positions by one or more of the following actions:

33 ~~(A)–~~

34 ~~(1) Deployment of the employees pursuant to paragraph (4) of~~
35 ~~subdivision (b) of Section 4854.~~

36 ~~(B)–~~

37 ~~(2) Reassignment of the employees to state-owned,~~
38 ~~state-operated, or state-staffed community-based residential~~
39 ~~programs described in subdivision (c) of Section 4855.~~

40 ~~(C)–~~

1 (3) Assignment of the employees to provide vendor services to
2 one or more individuals in community-based programs, pursuant
3 to paragraph (2) of subdivision (c) of Section 4856.

4 ~~(D)~~

5 (4) Reassignment of the employees to any vacant state position
6 with all accrued benefits, accumulated sick leave, and without
7 serving an additional probation period. Reassignment shall be
8 offered first to the employee with the greatest seniority in the
9 classification, as defined by the applicable collective bargaining
10 agreement.

11 ~~(2) Notwithstanding paragraph (1)~~

12 (b) *Notwithstanding subdivision (a)*, employees shall retain all
13 the rights delineated in the layoff and displacement article and
14 sections of the applicable collective bargaining agreement in effect
15 on January 1, 2004.

16
17 Article 3. Increasing Availability of Specialized Services

18
19 4854. (a) The Legislature finds and declares that many
20 individuals with developmental disabilities who are eligible to
21 receive services pursuant to this division lack access to specialized
22 medical, dental, pharmaceutical, psychological, and other
23 professional services. Low reimbursement rates and a shortage of
24 professionals trained to meet the special needs of these consumers
25 has resulted in significant unmet needs experienced by consumers
26 in many communities. The Legislature further finds and declares
27 that professional employees in the developmental centers have
28 specialized training and experience in providing these specialized
29 services but, due to current funding structures, are only able to
30 provide them to residents of developmental centers. It is the intent
31 of the Legislature, ~~to the extent the population in the~~
32 ~~developmental centers diminishes~~, to make the skills, training, and
33 experience of the professionals on the staff of the state
34 developmental centers available to consumers who live in
35 communities that lack these professional services.

36 (b) The department shall develop a state staffing plan through
37 which developmental center employees with specialized skills,
38 training, and experience will be maintained on the state staff for
39 the purpose of meeting the needs of community-based residents

1 who otherwise would lack access to those services. The plan shall
2 include, but not be limited to, all of the following:

3 (1) Identification of the medical, dental, podiatric,
4 pharmacological, psychological, habilitation, rehabilitation,
5 social work, case management, educational, vocational, quality
6 assurance, nursing, and other professional expertise that is
7 available in developmental centers.

8 (2) Identification of the extent to which consumers who reside
9 in community-based settings have an unmet need for the expertise
10 identified in paragraph (1).

11 (3) Identification of state employees who, as a result of the
12 diminished need for their services in developmental centers, will
13 become available to fill these unmet needs.

14 (4) A deployment methodology through which these
15 employees can serve the needs of consumers in various parts of the
16 state. The deployment methodology may include, but is not
17 limited to, mobile clinics, specialized treatment teams, linkage to
18 teaching hospitals, placement in regional center offices, and any
19 other means that will permit the maximum number of consumers
20 with unmet needs to gain access to these professional services.

21 (5) A plan for financing these services that ensures maximum
22 federal financial participation.

23 4855. (a) It is the intent of the Legislature to ensure that
24 appropriate care is available in the community to meet the needs
25 of all consumers, as defined in subdivision (d) of Section 4512,
26 including those with exceptional medical and behavioral needs. To
27 accomplish this goal, the department ~~is authorized to~~ *may* establish
28 state-owned, state-operated, or state-staffed residential facilities
29 or services, as described in subdivision (c), that are designed to
30 meet the needs of consumers whose needs otherwise cannot be
31 met.

32 (b) As used in this chapter, “state-owned, state-operated, or
33 state-staffed” means facilities and services that are any of the
34 following:

35 (1) Owned by the state and operated by state employees.

36 (2) Leased by the state and operated by state employees.

37 (3) Neither owned nor leased by the state, but operated by state
38 employees.

39 (4) Neither owned, leased, nor operated by the state, but staffed
40 in whole or in part by state employees.

(c) State-owned, state-operated, or state-staffed services may include any of the following:

(1) Short-term residential crisis services designed to address the behavioral and related medical and other needs of individuals who require stabilization in order to live safely in a community-based setting.

(2) Services for individuals with psychiatric disabilities that cannot otherwise be met in a community-based setting.

(3) Short-term residential facilities for the purpose of providing respite care.

(4) Services for individuals who have significant needs that cannot otherwise be met in a community-based setting.

(5) Community resource centers that provide outpatient specialized services for persons with developmental disabilities, including, but not limited to, medical services, podiatric services, dental services, therapeutic habilitation and therapeutic rehabilitation, technical support for the design and fabrication of adaptive equipment and assistive devices, emergency behavioral intervention, nursing consultant services, educational consultant services, pharmacological services, audiological services, and other related services designed to meet the unique needs of persons with developmental disabilities.

(d) The department shall consult representatives of community-based providers, regional centers, consumers, consumer advocates, and recognized employee organizations as defined in subdivision (b) of Section 3513 of the Government Code, in order to assess the need for state-owned, state-operated, or state-staffed facilities and to design these facilities appropriately to meet consumer and community needs. The department shall report to the appropriate committees of the Legislature on the results of this assessment and design process prior to the implementation of any new facility or services under this section.

(e) Services under this section shall be provided pursuant to the individual program planning process and operated in compliance with the following principles:

(1) They shall provide high-quality services and supports that promote choice and dignity, ensure health and safety, and involve consumers in meaningful activities that promote independence, community inclusion, and productivity.

(2) They shall provide services that are designed through the person-centered program planning process and are included in each person's individual program plan.

(3) They shall be designed to permit consumers to live near family and friends whenever feasible.

(4) They shall consist of small family sized living arrangements in regular neighborhoods unless the department demonstrates the need for an exception in order to meet the specific needs of a target population. The department shall report to the appropriate legislative committees on any proposed exceptions.

(5) They shall be subject to the same quality monitoring processes to assess life quality outcomes as are applied to community-based residential services that are not state-owned, state-operated, or state-staffed.

(6) They shall operate in compliance with all applicable federal and state statutes and regulations related to quality assurance and monitoring of the provision of services.

(7) The department shall develop a plan in consultation with all appropriate stakeholders to provide orientation and training sufficient to ensure the successful transition of employees who were previously employed in a state developmental center and the effective implementation of this paragraph.

(f) The department shall report to the appropriate legislative committees by April 1 of each year on its plans for development in the subsequent budget year of any facilities authorized by this section.

Article 4. ~~Use of Funds in the CARE Account~~ *Funding*

4856. (a) It is the intent of the Legislature in enacting this chapter to ensure that every person who receives services in the community, including those who move from a developmental center and those who are deflected from admission to a developmental center, shall achieve the best possible health and quality of life for a lifetime. ~~The Legislature finds and declares that the person-centered individual program planning process defined in Sections 4646 and 4646.5 is the essential and determining process by which plans and decisions are made that reflect the desires of the consumer and, as appropriate, the consumer's~~

1 parents, legal guardian, or conservator, as well as the judgments of
2 professionals and service providers. It is the intent of the
3 Legislature that funds in the CARE account shall be used to
4 support implementation of person-centered individual program
5 plans. It is further the intent of the Legislature to improve the
6 capability of the community-based system to devise and deliver
7 the services and support desired and needed by many different
8 individuals. These include services that are effective in increasing
9 the inclusion of consumers in their local communities, responding
10 to the cultural and language preferences of consumers, providing
11 consumers with opportunities to express and realize choices in
12 their daily activities, encouraging and supporting consumers in
13 establishing friendships with people with and without disabilities,
14 meeting individual consumer outcomes, making a positive
15 difference in people's lives, and providing assurances for the
16 consumers' health, safety, and happiness.

17 (b) Funds from the CARE account shall be used to enhance
18 services to individuals residing in the community. The first
19 priority for use of the funds from the CARE account shall be to
20 meet unmet needs of consumers. The second priority shall be to
21 improve and enhance services and supports available in the
22 community.

23 (c) Notwithstanding any other provision of law, regional
24 centers may use CARE account funds to do any of the following:

25 (1) Purchase enhanced services or supports to meet the needs
26 of persons who reside in the community with unmet needs,
27 including, but not limited to, providing supplemental rates or
28 payments to service providers.

29 (2) Contract, to the extent permitted by law, with one or more
30 state employees to implement the individual program plan of any
31 person moving from a state developmental center. If any state
32 employee is identified in an individual program plan to be the best
33 available source of personnel to implement the program plan, the
34 regional center may use funds from the CARE account to assist the
35 state employee in making the transition to becoming a vendor of
36 services to the regional center, while still maintaining his or her
37 state employee status, if the employee so chooses.

38 (3) Provide support to consumers and families to help them
39 maintain greater control over decisions and resources and to
40 implement individual program plans in their own homes.

1 ~~(4) Enable children to live with their own families with~~
2 ~~supportive services as described in Section 4685, and enable~~
3 ~~adults, who so choose, to live with their own families and receive~~
4 ~~supportive services they desire. When necessary to enable families~~
5 ~~to care for a family member at home and to avoid more costly~~
6 ~~out-of-home placement, regional centers may also provide~~
7 ~~stipends to family members who are providing care in their own~~
8 ~~homes.~~

9 ~~(5) When necessary to fulfill the requirements of an individual~~
10 ~~program plan, enable adults or their families to lease homes or~~
11 ~~apartments that provide stable residences for supportive living~~
12 ~~programs, as described in Section 4689. When other funds are not~~
13 ~~available for this purpose, CARE funds may also be used to enable~~
14 ~~adults or families to purchase furniture, equipment, and supplies~~
15 ~~needed for residences.~~

16 ~~(6) Enhance any service, when the augmentation is necessary~~
17 ~~to implement the requirements of an individual program plan.~~

18 ~~(7) With the approval of the department, create any new service~~
19 ~~or method, or modify any method described in existing statutory~~
20 ~~law, for the purpose of designing solutions to unique problems~~
21 ~~identified in an individual program plan.~~

22 ~~(8) Include funding in contracts with service providers,~~
23 ~~including advance funding when necessary, to help pay the startup~~
24 ~~costs of initiating new services, when these programs are~~
25 ~~necessary to implement an individual program plan, and when~~
26 ~~other funds for startup costs are unavailable.~~

27 ~~(9) Engage peer mentors to provide support to individuals who~~
28 ~~move from developmental centers to community-based~~
29 ~~placements throughout the planning, relocation, and community~~
30 ~~adjustment process, provided the individual does not object.~~

31 ~~(d)–~~

32 ~~(b) In order to minimize General Fund costs, and to maximize~~
33 ~~funding for regional center CARE accounts, regional centers shall,~~
34 ~~consistent with individual program plans, make use of circles of~~
35 ~~support of families and friends, as appropriate, and of generic and~~
36 ~~federal funding resources for community-based services.~~

37

Article 5. Legislative Oversight

4857. In order to ensure quality, to evaluate costs and outcomes, and to make informed judgments regarding the future replication and adaptation of programs and services offered pursuant to this chapter, the department, in consultation with appropriate stakeholder organizations, shall gather and analyze information pertaining to the implementation of this chapter. The department shall report annually to the Legislature, and shall include recommendations for corrective action when necessary, regarding ~~all~~ *both* of the following issues:

~~(a) How the use of funds from the CARE account has affected the well-being of persons who have moved into community-based services from developmental centers, persons who have been deflected from admission to developmental centers, and persons living in the community with unmet needs. Specifically, the report shall address how use of the funds has affected the health, relationships, community involvement, and other measurable indicators of the quality of life for these persons.~~

~~(b) —~~

(a) The progress or lack of progress there has been in achieving the objectives in individual program plans for persons who have moved from state institutions to community-based services.

~~(c) The success of the effort to use funds from the CARE account to create community alternatives for persons considered most likely to be admitted to state institutions. Specifically, the report shall address any difficulties that have been encountered, and how those difficulties can be resolved.~~

~~(d) —~~

(b) The success of state-owned, state-operated, and state-staffed facilities and services in meeting the needs of consumers who are provided with services pursuant to Section 4855.

~~Article 6. The Lanterman Trust Fund~~

~~4858. (a) The Legislature finds and declares that during the past century, the people of California have made significant capital investments to build and maintain a network of state developmental centers for the purpose of housing and providing~~

1 ~~services to children and adults with developmental disabilities. As~~
2 ~~a result of state and federal court decisions to halt the segregation~~
3 ~~of people with disabilities, and the growth of community~~
4 ~~alternatives, the population in these state developmental centers~~
5 ~~has dwindled.~~

6 ~~(b) The Legislature further finds and declares that thousands of~~
7 ~~persons with developmental disabilities need affordable housing,~~
8 ~~and many more will, in the future, require homes in their~~
9 ~~communities, along with service supports. It is the intent of the~~
10 ~~Legislature in enacting this article to minimize future General~~
11 ~~Fund expenditures for housing by permitting state hospital~~
12 ~~facilities to be sold or leased and the funds generated from these~~
13 ~~past investments to be redirected to achieve the outcomes for~~
14 ~~which these investments were intended.~~

15 ~~4858.5.—(a) Notwithstanding any other provision of law, state~~
16 ~~developmental center lands and buildings shall, when feasible and~~
17 ~~appropriate, be appraised, and leased or sold, at fair market value,~~
18 ~~as established by the Department of General Services.~~

19 ~~(b) (1) All proceeds from the sale or lease of state~~
20 ~~developmental center lands and buildings shall be deposited in the~~
21 ~~Lanterman Trust Fund, which is hereby created in the State~~
22 ~~Treasury. Moneys in the Lanterman Trust Fund shall be used, upon~~
23 ~~appropriation by the Legislature, for purposes of this chapter.~~

24 ~~(2) For purposes of this article, “trust” means the Lanterman~~
25 ~~Trust Fund.~~

26 ~~(c) The trust shall be administered by a board of trustees that~~
27 ~~shall include all of the following members:~~

28 ~~(1) The director of the department.~~

29 ~~(2) One member appointed by the Speaker of the Assembly.~~

30 ~~(3) One member appointed by the President pro Tempore of the~~
31 ~~Senate.~~

32 ~~(4) Two members appointed by the Governor. The appointees~~
33 ~~shall serve staggered terms and shall include persons with~~
34 ~~experience in trust fund or large foundation management, real~~
35 ~~estate law, investment strategy, property management, and~~
36 ~~housing policy.~~

37 ~~(d) The director shall appoint a Lanterman Trust Fund Program~~
38 ~~Advisory Committee, to provide the board of trustees with~~
39 ~~information and advice regarding program priorities for the use of~~
40 ~~trust funds and other advice as may be requested by the board. The~~

~~1 advisory committee shall consist of 13 members, four of whom
2 shall be persons with developmental disabilities, and four of whom
3 shall be parents of persons with developmental disabilities. These
4 eight members shall be nominated by organizations representing
5 consumers. The remaining five members of the advisory
6 committee shall be representatives of major stakeholder agencies
7 in California's developmental services system.~~

~~8 (e) If requested, the department may compensate board
9 members and advisory committee members for actual expenses
10 incurred in the performance of their duties.~~

~~11 (f) The trust may utilize trust funds to employ or contract for,
12 to the extent permitted by state law, professional help to assist the
13 board with management of the trust, real estate transactions,
14 investments, accounting, or other necessary functions.~~

~~15 4859. (a) The trust may accept the donation of family homes,
16 giving the family member with a developmental disability a life
17 estate and, through the regional center, the supports needed to
18 reside in that home for a lifetime. The trust shall not manage any
19 property, but shall, to the extent permitted by state law, contract
20 with community agencies for this purpose.~~

~~21 (b) Nothing in this chapter shall be construed to permit any
22 state agency to require a recipient of state services, or a family
23 member or guardian of the recipient, to place any property into the
24 trust.~~

~~25 4859.5. The trust shall be used primarily as a permanent
26 means of enabling the state to offer stable family scale housing,
27 located in typical neighborhoods, to persons with developmental
28 disabilities. The trust shall be managed so as to ensure that all of
29 the following occur:~~

~~30 (a) The assets of the trust are not used to replace any
31 appropriations for service programs.~~

~~32 (b) The assets of the trust are replenished to the maximum
33 extent possible, by the collection of rents and repayment of loans.~~

~~34 (c) A portion of the assets of the trust shall be invested in ways
35 that generate dividends to replenish the trust's assets.~~

~~36 4860. (a) With the approval of the board of trustees, the
37 department may utilize trust funds to carry out the objectives of
38 this division, including, but not limited to, the following:~~

~~39 (1) Providing low-interest or deferred interest loans to public
40 benefit corporations, organized to provide housing for people with~~

1 ~~developmental disabilities, who agree contractually to keep the~~
2 ~~real estate for the perpetual benefit of people with developmental~~
3 ~~disabilities or to convey the real estate to the trust when this use~~
4 ~~ceases.~~

5 ~~(2) Providing financing for the acquisition and startup of~~
6 ~~state-owned, state-operated, or state-staffed facilities as described~~
7 ~~in Section 4855.~~

8 ~~(3) Providing low-interest or deferred interest housing loans to~~
9 ~~families caring for a family member with a developmental~~
10 ~~disability at home and to families who are implementing~~
11 ~~individual program plans using the self-determination methods~~
12 ~~described in Section 4685.5. Housing loans to a family may be~~
13 ~~made available only if care in the family home is the preferred~~
14 ~~means of implementing the individual program plan. Loans to~~
15 ~~families may be used to enable families to remodel existing homes,~~
16 ~~if necessary, to accommodate the special needs of a family member~~
17 ~~with a developmental disability, or to acquire other housing for this~~
18 ~~reason. Loans to families shall be repaid to the trust. Payment~~
19 ~~schedules shall be adjusted to fit the financial capacity of the~~
20 ~~family.~~

21 ~~(4) Subsidizing mortgages for persons with developmental~~
22 ~~disabilities, through low-interest or no-interest loans, and enabling~~
23 ~~persons to gain equity interest in the property.~~

24 ~~(b) In addition to the use of trust funds for permanent~~
25 ~~community housing, the department may use trust funds, in~~
26 ~~amounts to be determined by, and with the approval of, the board~~
27 ~~of trustees, to do either of the following:~~

28 ~~(1) Establish centers for adaptive needs, in several parts of the~~
29 ~~state, to produce adaptive equipment, customized wheelchairs,~~
30 ~~shoes, and other articles needed statewide, to meet the unique~~
31 ~~needs of individuals with developmental disabilities.~~

32 ~~(2) Establish medical and dental service centers, in~~
33 ~~collaboration with hospitals and universities in several regions of~~
34 ~~the state, to provide training for health care professionals and~~
35 ~~service support for programs serving persons with developmental~~
36 ~~disabilities.~~

37 ~~(c) Subject to any rules and procedures as the board of trustees~~
38 ~~may establish, the trust may also provide grants of funds, for~~
39 ~~special purposes, using portions of the interest generated from~~
40 ~~trust investments. The trust may respond to requests for grants~~

1 ~~from any individual or community-based nonprofit organization,~~
2 ~~for special purposes, including, but not limited to, startup costs for~~
3 ~~new services, special equipment, or facilities, and assistance to~~
4 ~~self-help organizations of persons with developmental disabilities.~~
5

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